

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**ROXANNE ANDERSON,**

**Plaintiff,**

**VS.**

**CITY OF BAYARD,**

**Defendant.**

**7:06CV5023**

## ORDER

This matter is before the court on the parties' Joint Motion to allow plaintiff to amend the complaint [16]. The court notes the parties' jury demand. Apparently, plaintiff wishes to re-name "Chimney Rock Villa Nursing Home and Assisted Living" as a defendant. In addition, by filing the proposed amended complaint, plaintiff will effect a voluntary dismissal of her third cause of action. Upon review of the matter,

**IT IS ORDERED** that the Joint Motion [16] is granted, as follows:

1. Plaintiff is given leave to re-name "Chimney Rock Villa Nursing Home and Assisted Living" as a defendant.
2. Plaintiff shall file and serve the Second Amended Complaint forthwith.

**DATED February 6, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**